



## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD FOR PRODUCING CARBON NANOWALLS, CARBON NANOWALL,  
AND APPARATUS FOR PRODUCING CARBON NANOWALLS**

the specification of which:  
(check one)

(is attached hereto)  
 was filed on August 27, 2004  
 as Application Serial No. PCT/JP2004/12406  
 and was amended on February 24, 2006

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56\*, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 or 365, of any foreign application(s) for patent or inventor's certificate or 365 of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT international application having a filing date before that of the application on which priority is claimed:

## Prior Foreign Application(s)

			priority claimed
<u>2003-303484</u> (Number)	<u>JAPAN</u> (Country)	<u>27/AUGUST/2003</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<input type="checkbox"/> yes <input type="checkbox"/> no
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<input type="checkbox"/> yes <input type="checkbox"/> no

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>PCT/JP2004/12406</u> (Application Serial No.)	<u>27/AUGUST/2004</u> (Filing Date)	(Status: patented, pending, abandoned)
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**Power of Attorney:** As a named inventor, I hereby appoint Sean M. McGinn, Esq., Reg. No. 34,386, and Customer No. 21254, and the attorneys/agents associated therewith, as attorney and/or agent to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. All correspondence should be directed to McGinn Intellectual Property Law Group, PLLC, Customer No. 21254, 8321 Old Courthouse Road, Suite 200, Vienna, Virginia 22182-3817. Telephone calls should be directed to McGinn Intellectual Property Law Group, PLLC at (703) 761-4100.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

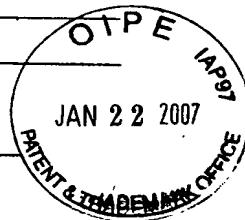
Full Name of Sole  
Joint Inventor, If Any. Mineo HIRAMATSU

Inventor's Signature Mineo Hiramatsu Date December 30, 2006

Residence Aichi-ken, Japan

Citizenship Japanese

Post Office Address 97-1-905, Shiratsuchi, Haruki, Togo-cho, Aichi-gun,  
Aichi-ken, 470-0162 Japan



Full Name of Second

Joint Inventor, If Any Masaru HORI

Inventor's Signature Masaru Hori Date December 28, 2006

Residence Aichi-ken, Japan

Citizenship Japanese

Post Office Address 6-176, Fujitsuka, Nisshin-shi  
Aichi, 470-0117, Japan

Full Name of Third

Joint Inventor, If Any

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full Name of Fourth

Joint Inventor, If Any

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

(An additional sheet(s) is/are attached hereto if the present invention includes more than four inventors.)

\*Title 37, Code of Federal Regulations, § 1.56:

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith toward the Patent and Trademark Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability.